The Cochin Kuries Regulation Amendment Bill.

Mr. A. Narayana Menon *(Vytilla).*—I beg to move that the Cochin Kuries Regulation Amendment Bill be taken up and finally passed.

Mr. K. S. Manickam (*Irinjalakkuda*).—I second it.

Motion was put and carried.

The Cochin Debt Conciliation Bill.

Mr. T. S. Narayana Ayyar (*Secretary to Government*).—Sir, the amendment discussed last evening was with reference to clause 14 (1) and the amendment proposed was 'half the amount of the total, debts instead of 'unsecured' debts. It is necessary to clarify the position in the light of the discussion that took place regarding the interpretation of clauses 14, 17 and 18. The function of the Board primarily is to induce a settlement among the creditors as provided for by clause 14. Then clause 17 says that if no amicable settlement is arrived at within 12 months the Board shall dismiss the application. What is the result? Does it mean that the proceedings before the Board would become absolutely purposeless and infructuous with no relief at all to the debtor? Then comes clause 18. Two interpretations have been suggested for this clause. One is that although no settlement is reached under clause 14 (1) and the petition has to be dismissed on that account, it is open to the Board to grant a certificate to the effect that the debtor has made a fair offer which, under the circumstances, the creditor ought reasonably to have accepted. The consequential relief to the debtor and the penalties which the creditors would be subjected to are pointed out in clauses 18 (2) and (3). The other interpretation put on clause 18 is this—Clause 18 following as it does, clause 17 cannot have operation in a case where the application of the debtor is dismissed, i. e. where no amicable settlement is arrived at under clause 14.

Mr. A. Sankara Menon *(Trippunithura).*—That is not the position taken up by this side.

Mr. T. S. Narayana Ayyar *(Secretary to Government).*—In this view, the certificate to be issued under clause 18 will be only with reference to creditors who are not parties to the settlement arrived at under clause 14. Where no creditor agrees, no certificate can be issued.

Mr. A. Sankara Menon *(Trippunithura).*—I did not say that the enquiry into the question whether certificates will be

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